IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1539 OF 2005
IN
WRIT PETITION NO.6722 OF 1999

Dr.Sambhaji Narayan Bhavsar .. Petitioner
V/s
Tilak Ayurved Mahavidyalala & Ors. .. Respondents

Mr.Vinay Sonpal, AGP for Respondent No.3.

CORAM : B.H.MARLAPALLE & NARESH H.PATIL,JJ.
DATE : 25th September, 2006.

P.C.:

1. Notice was issued to the petitioner and the same has been served by affixing on the petitioner's residential house, but he was not found in the house at that time. The bailiff's report clearly states that the notice was affixed in the presence of neighbour Smt.Sharada Bhavsar and the petitioner was reported to have gone out for work.

2. The Petitioner has not caused his appearance either in person or through an Advocate. In any case, writ petition No.6722/1999 was disposed of as withdrawn by the Division Bench of this Court on 10.1.2000 and the said order was passed on the motion moved by the learned Counsel for the Petitioner. Leave was sought to withdraw the petition so as to file a fresh petition if necessary. It was also stated that the petitioner shall make a representation claiming the benefits from Respondent Nos.1 & 2, and in case such a representation was rejected, then, he may be permitted to file a fresh

writ petition. There is no question of restoration of such a writ petition which was disposed off as withdrawn and if the petitioner has fresh grievance viz.his representation has been rejected, he is at liberty to file fresh petition. Hence, Civil Application is rejected.

(NARESH H.PATIL,J.) **(B.H.MARLAPALLE, J.)**